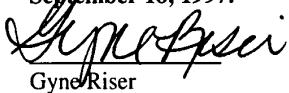




PATENT  
Atty. Docket No. 0063.024

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 18, 1997.

  
Gyne Riser

09.18.97  
Date

9/c  
MJS  
10/9/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MICHAEL HOUGHTON et al.

Serial No.: 08/441,443 Group Art Unit: 1815  
Filed: May 15, 1995 Examiner: M. Zeman  
For: NANBV DIAGNOSTICS AND VACCINES

**RESPONSE UNDER 37 C.F.R. §§1.116 AND 1.129(a)**  
**EXPEDITED PROCEDURE--EXAMINING GROUP 1815**

RECEIVED

OCT 9 1997  
GROUP 1800

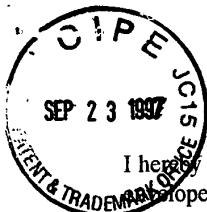
Box AF  
The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

This amendment is responsive to the final Office Action in the above-referenced application mailed on July 24, 1997, placing claim 10 under final rejection, with a shortened statutory period set to expire on October 24, 1997. Reconsideration of the subject application in light of the following amendments and remarks is respectfully requested.

**Request for Transitional Procedure after Final Rejection Pursuant to 37 C.F.R. §1.129(a)**

Applicants hereby request withdrawal of the finality of the Office Action mailed on July 24, 1997, and entrance of the instant submitted papers for consideration on their merits. The subject application, filed on May 15, 1995, is a divisional of U.S. Serial No. 08/307,273 ("the '273 application"), filed on September 16, 1994, which is a divisional of U.S. Serial No. 08/103,961, filed on August 9, 1993, which was a continuation of U.S. Serial No. 07/456,637, filed on December 21, 1989, and claims even earlier priority from ten other applications dating back to U.S. Serial No. 07/122,714, filed on November 18, 1987. Taking into account (at a



AF/SP 1815-#  
PATENT  
Atty. Docket No. 0063.024

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*Gyne Riser*  
Gyne Riser

09.18.97  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MICHAEL HOUGHTON et al.

Serial No.: 08/441,443

Group Art Unit: 1815

Filed: May 15, 1995

Examiner: M. Zenman

For: NANBV DIAGNOSTICS AND VACCINES

AMENDMENT TRANSMITTAL

Assistant Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

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GROUP 100

Sir:

Transmitted herewith is a response to the final Office Action mailed July 24, 1997.

Applicant petitions for extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	one month	\$ 110.00
<input type="checkbox"/>	two months	\$ 390.00
<input type="checkbox"/>	three months	\$ 930.00
<input type="checkbox"/>	four months	\$1,470.00

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefore of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_.

X

Applicant believes that no extension of term is required. However, if any additional extension and/or fee is required, please charge Deposit Account No. 03-1664. **THIS IS NOT AN AUTHORIZATION TO PAY THE ISSUE FEE.**

PATENT  
Atty. Docket No. 0063.024

The fee for claims (37 C.F.R. §1.16(b)-(d)) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	*1	MINUS	*1	= 0	x \$22.00	\$0.00
INDEP.	*1	MINUS	*1	= 0	x \$80.00	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						+ \$260.00
						Total \$ 0

- \* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
The "Highest No. Previously Paid for" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Attached is check no. 6283 in the amount of \$770.00 (fee for CFR §1.17(r))

If any additional fees are required, please charge Deposit Account No. 03-1664. **THIS IS NOT AN AUTHORIZATION TO PAY THE ISSUE FEE.**

Respectfully submitted,

Dated: 18 September 1997

By:

Kenneth M. Goldman

Kenneth M. Goldman  
Reg. No. 34,174

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